

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:05CR123
)	
v.)	
)	
JOHN E. HERRINGER,)	ORDER
)	
Defendant.)	
)	

Defendant has filed a Motion to Continue Trial (#27) based on the possibility that he may be able to retain substitute counsel. Substitute counsel has not entered an appearance, and the court cannot continue the trial indefinitely on this contingency.

IT IS ORDERED that the Motion to Continue Trial (#27) is denied without prejudice to reassertion should defendant timely retain substitute counsel

DATED July 7, 2005.

BY THE COURT:

**s/ F.A. Gossett
United States Magistrate Judge**